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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 DARIUS BARKSDALE,

1:10-cv-00747-DLB (PC)

12 Plaintiff,

ORDER TRANSFERRING CASE TO THE
CENTRAL DISTRICT OF CALIFORNIA

13 vs.

14 LOS ANGELES COUNTY SHERIFF'S
15 DEPT., et al.,

16 Defendants.
17 _____/

18 Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant to 42
19 U.S.C. § 1983.

20 The federal venue statute requires that a civil action, other than one based on diversity
21 jurisdiction, be brought only in “(1) a judicial district where any defendant resides, if all defendants
22 reside in the same state, (2) a judicial district in which a substantial part of the events or omissions
23 giving rise to the claim occurred, or a substantial part of the property that is the subject of the action
24 is situated, or (3) a judicial district in which any defendant may be found, if there is no district in
25 which the action may otherwise be brought.” 28 U.S.C. § 1391(b).

26 In this case, none of the defendants reside in this district. The claim arose in Los Angeles
27 County, which is in the Central District of California. Therefore, plaintiff’s claim should have been
28 filed in the United States District Court for the Central District of California. In the interest of

1 justice, a federal court may transfer a complaint filed in the wrong district to the correct district. *See*
2 28 U.S.C. § 1406(a); *Starnes v. McGuire*, 512 F.2d 918, 932 (D.C. Cir. 1974).

3 Accordingly, IT IS HEREBY ORDERED that this matter is transferred to the United States
4 District Court for the Central District of California.

5 IT IS SO ORDERED.

6 **Dated: May 4, 2010**

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE